IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

Bail Appl..No. 5009 of 2007()

(IN CRIME NO.3268 OF EXCISE RANGE OFFICE, ERATTUPETTA)

PETITIONER/ACCUSED:

ANILKUMAR, S/O. RAGHAVAN,
IDAYAKKUNNEL HOUSE, MOONNILAVU VILLAGE,
MANKOMPU KARA, KOTTAYAM DISTRICT.

BY ADV. SRI.GEORGE MATHEW

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REP. BY EXCISE INSPECTOR, ERATTUPETTA THROUGH
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5009 of 2007

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Dated this the 16th day of August, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 700 ml of arrack on 04.08.2007. The petitioner was arrested and he continues in custody from that date. The learned Public Prosecutor submits that there is no criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigating Officer is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released from custody on the strength of this order prior to 20.08.2007. The Investigators shall in the meantime make every endeavour to complete the

investigation.

ii)The petitioner shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj